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United Nations Population Fund

Report of the Ethics Office 2017

Summary

This report is submitted to the Executive Board pursuant to paragraph 9 of Executive Board decision 2010/17: Reports of the Ethics Offices of UNDP, UNFPA and UNOPS. In accordance with the Secretary-General's bulletin entitled "United Nations system-wide application of ethics: separately administered organs and programmes" (ST/SGB/2007/11), the report was reviewed by the Ethics Panel of the United Nations at its 100th session on 13 February 2018 and subsequently presented to the UNFPA Executive Director.

The report provides a summary of the activities of the UNFPA Ethics Office during 2017, and describes trends in the mandated areas of its work. It also provides recommendations to management to further strengthen the organizational culture of integrity and compliance.

Elements of a decision

The Executive Board may wish to take note of the present report, comment on the progress of the work of the UNFPA Ethics Office and offer support for the recommendations made to management.

I. Introduction

1. The present report, the tenth since the establishment of the UNFPA Ethics Office in 2008, covers the 2017 calendar year. Pursuant to paragraph 9 of Executive Board decision 2010/17, the report, prepared in accordance with the Secretary-General's bulletin, "United Nations system-wide application of ethics: separately administered organs and programmes" (ST/SGB/2007/11), is submitted to the Executive Board at its annual session in 2018.

2. The UNFPA Ethics Office supports the Executive Director in ensuring that all UNFPA personnel perform their functions consistent with the highest ethical standards required by the Charter of the United Nations, the Standards of Conduct for the International Civil Service, the Staff Regulations and Staff Rules, and UNFPA policies and procedures. The Ethics Office operates on principles of independence, impartiality and confidentiality. Its activities aim to promote an organizational culture based on shared values of integrity, accountability, transparency, professionalism, respect and tolerance.

3. This report describes the key activities undertaken by the Ethics Office in 2017. It also suggests ways to strengthen the organization's ability to maintain the ethical standards necessary for UNFPA to continue to deliver a world where every pregnancy is wanted, every childbirth is safe, and every young person's potential is fulfilled.

II. Activities of the UNFPA Ethics Office

4. As in previous years, the activities of the Ethics Office were undertaken in the following mandated areas of work:

(a) Providing confidential advice and guidance;

(b) Administering the financial disclosure programme;

(c) Taking responsibility for activities assigned to the Ethics Office under the policy for the protection against retaliation;

(d) Developing standards, training and education on ethics issues, and conducting ethics outreach, in coordination with relevant units of UNFPA and with the Ethics Panel of the United Nations (EPUN), to ensure that there is a uniform and consistent application of ethics related issues in the UN system; and

(e) Providing guidance to management to ensure that the Organization's rules, policies, procedures and practices reinforce and promote the highest standards of ethics and integrity required by the Charter of the United Nations and other applicable staff rules and regulations.

5. In furtherance of this mandate, the Ethics Office provided services on 443 occasions in 2017. This represents an increase of 19 percentage points over 2016, and reflects a general trend of increased usage of the services of the Ethics Office by UNFPA personnel.

6. Figure 1 below shows that most of the 443 services provided in 2017 were advisory (280), followed by coherence activities (61) and training-related matters (37). Figure 2 below summarizes the services provided by the Ethics Office over the most recent four-year period, 2014-2017.

Figure 1
Requests for services, by category, in 2017

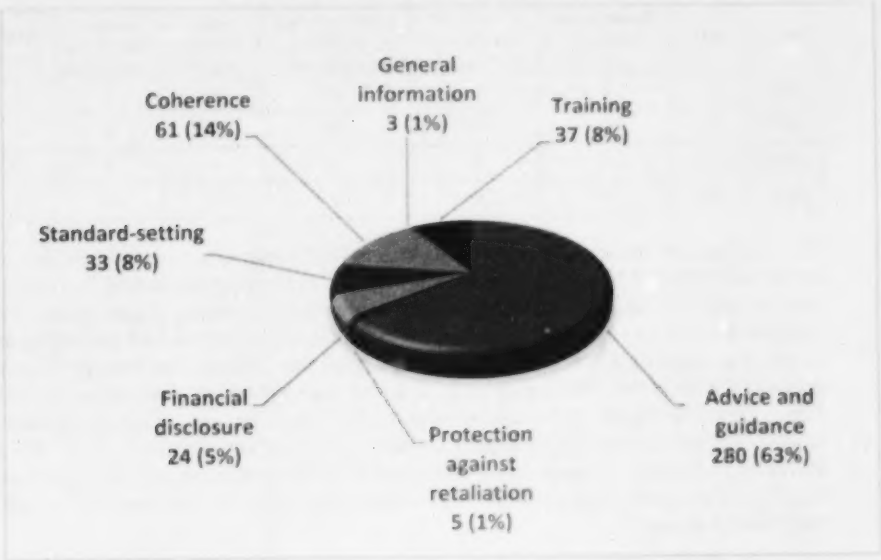

Figure 2
Overview of services, by category, 2014-2017

Year	Advice and guidance	Retaliation	Financial disclosure	Standard-setting	Coherence	General information	Training	Total
2014	104	5	57	9	26	11	6	**218**
2015	226	7	57	23	45	11	21	**390**
2016	237	13	26	25	36	10	25	**372**
2017	280	5	24	33	61	3	37	**443**

A. Advice and guidance

7. The Ethics Office considers the provision of confidential advice and guidance to be foundational to its programme of work. Advice and guidance constituted 63 per cent of the Office's portfolio by volume. Approximately 92 per cent of the requests came from fixed-term staff, while the remainder came from non-staff personnel and other third parties. Staff members thus continue to consult the Ethics Office more often than non-staff personnel, relative to their percentage of overall personnel.

8. Requests for advisory services increased by 18 per cent over 2016. In the Asia Pacific region, where the Ethics Adviser conducted an outreach mission, advice more than doubled (see figure 3, and further information regarding missions in Section D below). Advice increased significantly at headquarters as well.

Figure 3

Requests for ethics advice and guidance, by geographic location, 2014-2017

Year	HQ	Eastern and Southern Africa	Western and Central Africa	Latin America and the Caribbean	Asia and the Pacific	Eastern Europe and Central Asia	Arab States	Total
2014	55	2	8	15	15	7	2	**104**
2015	84	62	17	36	17	6	4	**226**
2016	113	11	35	20	31	2	25	**237**
2017	133	16	9	26	74	10	12	**280**

9. Of the 280 requests for advice, 70 per cent (195 requests) concerned conflicts of interest issues (see figure 4 below). Of these, the majority (131 requests) related to participation in outside activities and employment, such as undertaking speaking engagements or teaching assignments, serving on boards of non-governmental organizations, and publishing articles or books. For most of these, formal permission from the Division for Human Resources was required for the activity or employment. The staff member formally requested permission; the Ethics Office reviewed the request in order to advise the Division for Human Resources as to whether the activity presented a conflict of interest or posed other ethics concerns. For activities involving publication of materials, the Division of Communications and Strategic Partnerships usually reviewed the draft publication to ensure there were no conflicts with United Nations and UNFPA mandates.

10. The Ethics Office considers the increases in requests for ethics advice, including those regarding personal and organizational conflicts of interest, to be a positive sign that individuals and departments are taking concrete action to ensure that their behaviours and practices are ethical and in line with their obligations as international civil servants. Increases in organizational conflicts of interest issues are particularly encouraging, as they reflect a willingness to ensure that the programmes and practices of UNFPA are in line with ethical standards.

11. Employment-related inquiries constituted 30 per cent of all advice. Most related to allegations or concerns about workplace conduct, including misconduct. Many other inquiries involved fair application of policies.

12. There is an advisory element to nearly all of the work of the Ethics Office. What is outlined above reflects direct advisory services requested by staff and other personnel. In addition, however, advice and guidance are part of the Ethics Office's training, briefings, financial disclosure and standard-setting activities.

Figure 4
Requests for ethics advice and guidance by category

Category	Headquarters	Field	Total cases
Conflicts of interest			
– Outside activities	64	67	**131**
– Gifts, awards and hospitality	15	9	**24**
– Organizational conflicts of interest	11	4	**15**
– Other	9	16	**25**
Subtotal	***99***	***96***	***195***
Employment-related concerns			
– Workplace conduct issues	19	26	**45**
– Clarification of personnel-related policies	9	13	**22**
– Recruitment and promotion processes	6	6	**12**
– Other inquiries	1	5	**6**
Subtotal	***35***	***50***	***85***
Grand Total	**134**	**146**	**280**

B. Financial disclosure programme

13. Mandated by the Secretary-General, the financial disclosure programme is intended to help UNFPA to preserve and protect its integrity, thus building donor and public confidence in the organization and its staff. The programme is a primary tool for identifying and assessing conflict of interest risks arising from the private holdings and activities of staff and their immediate family members.

14. A total of 503 staff members submitted financial disclosure statements in the 2017 annual filing cycle, which covered the 2016 calendar year (see figure 5). Of the staff required to file, 132 were based at headquarters and 371 were field-based. Seventy staff members were first-time filers. The filing population comprised 320 staff in managerial positions (64 per cent) and 183 support staff (36 per cent), mostly administrative/finance assistants and administrative/finance associates based in field offices.

Figure 5
Financial disclosure participation, by location and calendar year, 2013-2016

Year	Headquarters	Field	Total by year
2013	133	541	**674**
2014	135	554	**689**
2015	147	365	**512**
2016	132	371	**503**

15. As usual, the Ethics Adviser reviewed each financial disclosure statement to ensure completion, and to consider whether any of the holdings or activities of the staff member or his or her immediate family members could present a conflict of interest, given the organization's mission and activities and the staff member's role. Some 59 filers (12 per cent) certified that they had no relevant disclosures, while the other 444 staff (88 per cent) provided disclosures. The Ethics Office requested additional information from 116 staff (23 per cent). Three of these

staff members had a previously undisclosed outside activity. They subsequently submitted a request for approval for the activity, or stated that they would resign the position voluntarily to eliminate the conflict. Several others were advised on how to properly manage or mitigate potential conflicts of interest.

16. Following its review of the financial disclosure statements, the Ethics Office additionally subjected a random sample of 49 statements (10 per cent) of the entire filing population to verification of their financial disclosures. This verification process allows the Ethics Office to ensure that staff members are diligently and accurately completing their financial disclosure statements. An outside firm retained by the Ethics Office reviewed the documentation submitted in support of the staff members' original disclosures. The staff whose statements were selected were diversified by location, grade and function.

17. During the verification phase, 31 staff members' files were reviewed, verified and closed without noteworthy concerns. However, 14 staff members were found to have more assets or liabilities than they had disclosed during the initial disclosure period. While no conflicts of interest were ultimately found, the Ethics Office is concerned that such a significant percentage of the verification group apparently had not provided fully accurate disclosures. The Ethics Office has been advised by the outside firm that this is a common issue across multiple United Nations organizations. The staff members concerned were counselled about the requirements of the financial disclosure programme to ensure full compliance in the future. One staff member was further requested to provide a written explanation for the inaccurate disclosure.

18. In addition to the financial disclosure programme cycle activity, the Ethics Office responded to 24 financial disclosure-related inquiries, including responding to staff members' questions about financial disclosure requirements and responding to inquiries from the Office of Audit and Investigation Services about staff members' financial disclosures (see figure 1, above).

C. Protection of staff against retaliation

19. UNFPA is obligated to protect staff members who report misconduct, or who participate in an authorized fact-finding activity, from any actual or threatened detrimental action that they may face as a consequence of that report or their participation. The policy on protection against retaliation sets forth the prohibition against retaliation, the procedures for lodging a complaint, and the steps the organization may take to address retaliation. In 2017, the Ethics Office received two complaints of retaliation and three retaliation-related requests.

20. For each retaliation complaint, the Ethics Office undertakes a preliminary review to determine whether the complainant engaged in an activity warranting protection from retaliation and, if so, whether this protected activity was a contributing factor to the retaliation. If the Ethics Office determines that a *prima facie* case of retaliation has been established, the matter is referred to the Office of Audit and Investigation Services for investigation. Following completion of the investigation, the Ethics Adviser reviews the investigation report, discusses the report with the investigators, considers whether retaliation has occurred, and then makes appropriate recommendations to the Executive Director.

21. Both complaints came from headquarters offices. The first complaint, filed in April 2017, alleged that the staff member was retaliated against by his/her supervisor and several others for reporting misconduct, and for cooperating in an investigation of misconduct. The Ethics Office referred the complaint, in part, for investigation. During the investigation, the Ethics Office recommended, and the Executive Director approved, interim protection measures. The Office of Audit and Investigation Services completed its investigation and returned the investigation report to the Ethics Office. The Ethics Office was reviewing the report as of the end of 2017.

22. The second complaint of retaliation was filed in November 2017 by a staff member who accused his/her supervisor and several other staff members of acts that allegedly resulted in significant changes to his/her job duties, following his/her report of misconduct against the supervisor. As of the end of 2017, the matter remained under preliminary review.

23. The three retaliation-related inquiries came from field-based staff members. One staff member expressed concern that negative comments in his/her performance appraisal were retaliatory. Another staff member expressed concern that subordinate staff members were retaliating against him/her by engaging in harassing conduct against him/her. A third staff member expressed concern that he/she would be retaliated against because of his/her participation in an investigation. None of these led to the filing of a retaliation complaint, although the Ethics Office advised the staff members about their situations and about how to file a complaint. The Ethics Office also continued to occasionally facilitate discussions between staff members who previously filed retaliation complaints, and relevant UNFPA divisions, to ensure they continued to be treated fairly.

24. Looking back to the Report of the Ethics Office 2016 (DP/FPA/2017/7), two retaliation complaints were outstanding at the end of 2016. In the retaliation complaint reported at paragraph 19 of the 2016 report, the complainant ultimately resigned from UNFPA to pursue another opportunity. The Ethics Office's preliminary review was put on hold while the complainant and the organization negotiated changes to the complainant's performance appraisal document and other measures. The Ethics Office closed the file in October 2017.

25. In the retaliation complaint reported at paragraph 21 of the same 2016 report, the retaliation complaint against the three subjects was substantiated. Disciplinary action was taken by the organization against two staff members; the third had separated from UNFPA prior to the investigation.

D. Training, education and outreach

26. The training, education and outreach programme of the Ethics Office aims to reinforce the core values and principles of the United Nations and the international civil service, increase knowledge of and compliance with ethics-related policies, and encourage staff and management to adhere to high ethical standards.

27. In 2017, the Ethics Office provided training and training-related services on 37 occasions (see figure 1, above). Fourteen of these were in-person training and education programmes and ethics briefings which reached approximately 440 UNFPA personnel. The Ethics Office conducted one orientation session for new Executive Board members. Headquarters offices that received training included the Technical Division, Division of Management Services, and the Evaluation Office. The Ethics Office conducted virtual training sessions for the Asia Pacific region's representatives, junior professional officers and the country offices of Mali and Rwanda.

28. The Ethics Adviser conducted an outreach mission to the Sri Lanka, India and Bangladesh country offices in the Asia Pacific region. These missions included training sessions on 'ethics and international civil service', confidential advisory sessions and management briefings. The Ethics Adviser attended the regional planning meeting for the East and Southern Africa region, and conducted an ethics workshop for the East and Southern Africa regional office staff and the South Africa country office staff.

29. The Ethics Office provided 12 ethics briefings for new heads of office and field managers visiting headquarters. The Office also provided training materials and responded to other training-related requests on several occasions.

30. The new online training programme, "Ethics and Integrity at the United Nations Population Fund", launched in English in January 2017. The programme was completed by 526 staff during the year. Several staff members have commented positively on the course.

31. The Ethics Office published several items on its microsite in 2017. In addition to providing standard ethics resources and information, the site offered seven published articles on topics such as ethical blind spots, political engagement, and outside activities.

32. The 2016 Global Staff Survey results, made available in 2017, showed gains in several relevant categories, including awareness of the Ethics Office and its services (2 per cent increase), knowledge of how to report misconduct such as harassment or abuse of authority (3 per cent increase), and belief that staff would be protected from retaliation if one reported wrongdoing (5 per cent increase). In each of these instances, fewer than 15 per cent of responses were negative.[1] Thus, it appears that ethics education and awareness raising efforts have a positive effect.

E. Standard-setting and policy support

33. A key function of the Ethics Office is to provide guidance to management on ethics standard-setting so that the policies and practices of the organization reflect and promote the expectations of integrity, impartiality and fairness required of UNFPA and its staff. During the reporting period, the Ethics Office collaborated with other UNFPA offices on 33 occasions to review, provide input and seek clarification on new and revised policies and procedures reflecting the organization's operations. This work included providing input to draft policies and programme evaluations, responding to donor inquiries about UNFPA ethics practices and policies, streamlining overlapping processes in different divisions, engaging with the Joint Inspection Unit, and contributing to the UNFPA Strategic Plan, 2018-2021.

34. The Ethics Office was called upon, and often volunteered, to engage on matters relating to sexual exploitation and abuse and sexual harassment prevention. The Ethics Adviser engaged with staff and management, with donors, and within the broader United Nations system on these matters.

35. The Ethics Office attended its annual meeting with the UNFPA Audit Advisory Committee and briefed the Committee on its programme activities.

III. Coherence

36. The Ethics Office contributed substantially to coherence in the United Nations system in 2017. Much of the coherence-related work of the Ethics Office involved interaction with the Ethics Panel of the United Nations (EPUN), established in 2007 (ST/SGB/2007/11). The Ethics Office participated in 10 of the 11 official meetings of EPUN. The Ethics Office gave substantive input to 41 other EPUN-related matters outside of EPUN meetings, and solicited much advice from EPUN in return.

37. In October 2016, the Ethics Adviser began a one-year term as the EPUN Alternate Chair, having been elected by EPUN members to this position. This role was created by EPUN in 2010 to ensure continuity of its meetings and activities in the absence of the EPUN Chairperson.

38. However, beginning in January 2017, under the Secretary-General's bulletin, "Protection against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations" (ST/SGB/2017/2),[2] United Nations Secretariat staff members were given the option of requesting that the EPUN Alternate Chair conduct a further review of the determination of the United Nations Ethics Office that there was no *prima facie*

[1] Note that the 2016 Global Staff Survey included non-staff personnel, unlike in 2014.
[2] This SGB was revised in November 2017 by ST/SGB/2017/2/Rev.1.

case of retaliation. In addition, under the same policy, the Director of the United Nations Ethics Office can, at his/her discretion, refer a retaliation complaint to the Alternate Chair due to an actual or potential conflict of interest in his/her office.

39. During her tenure as EPUN Alternate Chair, which ended in September 2017, the Ethics Adviser received one referral of a retaliation complaint from the Director of the United Nations Ethics Office due to a potential conflict of interest, and two referrals based on United Nations staff members' requests for further review of the United Nations Ethics Office determinations regarding their retaliation complaints.

40. In the referral from its Director, the United Nations Ethics Office had initially determined that there was no *prima facie* case of retaliation, but had re-opened its preliminary review upon receiving further information from the complainant. However, the Director then decided that there was a potential conflict of interest, and referred the matter to the Alternate Chair to conduct her own preliminary review. The Ethics Adviser determined that a *prima facie* case of retaliation did not exist, but made appropriate recommendations to senior management of the United Nations Secretariat. The staff member then requested further review of this determination. As of the end of 2017, this further review was being conducted by the new Alternate Chair, who is the UNICEF Principal Ethics Adviser.

41. Regarding the two United Nations Secretariat staff members' requests for further review of the United Nations Ethics Office determinations that there was no *prima facie* case of retaliation, the UNFPA Ethics Adviser reviewed both of them. In the first case, the Ethics Adviser disagreed with the United Nations Ethics Office determination that there was no *prima facie* case of retaliation, and directed that the complaint be referred for full investigation to the Office of Investigation and Oversight Services. In the second case, the Ethics Adviser agreed with the determination of the United Nations Ethics Office, but recommended certain actions to senior management of the United Nations Secretariat.

42. Further information on the work of EPUN, including the retaliation matters noted above, will be provided in the Report of the Secretary-General on the activities of the Ethics Office, scheduled to be available in August 2018.

43. The UNFPA Ethics Office engaged in many other coherence activities. Of particular note is adaptation of the United Nations Secretariat's online training, "Prevention of Sexual Exploitation and Abuse," (PSEA) to the funds and programmes. The Ethics Adviser worked with ethics and human resources professionals, primarily from UNDP, UNICEF and UN-Women, from 2016 through 2017 to prepare this programme for the funds and programmes. It is now available for implementation by *all* funds and programmes that wish to use it. This helps to ensure that education and awareness raising about PSEA can be consistent across the United Nations system. All agencies involved shared the work and the production costs.

44. Additionally, the UNFPA Ethics Office and Programme Division collaborated with UNICEF to develop a protocol for the United Nations system approach to preventing and addressing sexual exploitation and abuse by our implementing partners.

45. Another example of effective coherence activities is the growing number of ethics training sessions being offered in the field that include personnel from multiple United Nations organizations. For example, UNICEF included UNFPA personnel in Rwanda in its in-person ethics training. The UNFPA Ethics Office included staff from UNICEF and WHO in its training in Sri Lanka. UNRWA included staff from multiple agencies in its training in Syria. This practice of inclusion is a positive effect of the good working relations among members of United Nations system ethics professionals.

46. At the invitation of the Office of Audit and Investigation Services, the Ethics Adviser presented to the Conference of International Investigators about the retaliation process. Such

interactions increase understanding and effectiveness of the administration of justice in the United Nations.

47. The Ethics Office also actively participated in the Ethics Network of Multilateral Organizations (ENMO). The Ethics Adviser attended the ENMO annual meeting in July 2017, and was elected Chair of the ENMO Standing Membership Committee for a one-year term. This committee is responsible for receiving and reviewing applications from organizations for membership in ENMO, and making appropriate recommendation to the ENMO Chair regarding their approval.

48. The Ethics Office also assisted other ENMO organizations on ethics issues, including by sharing knowledge of ethics office structures and operations, peer coaching, and provision of policies and training materials.

IV. Observations and recommendations to management

49. The following observations and recommendations reflect on 2017, and recommend steps to further strengthen a culture of ethics and integrity in UNFPA and the United Nations.

50. In 2017, UNFPA unexpectedly lost its Executive Director. Staff members (including those of the Ethics Office) mourned this loss, adapted to the change, and continued on with plans for the future of the organization, all in quick succession. This required much self-discipline by all staff, as well as managerial leadership. Staff and other personnel should be commended for their ability to endure such difficulties in 2017.

51. The Ethics Office acknowledges and appreciates the new Executive Director's immediate engagement on ethics issues, and her support of the Ethics Office mandate.

52. The Ethics Office recommends that UNFPA in 2018 take a leadership role in the effort of the United Nations system to end sexual exploitation and abuse wherever it occurs under the United Nations flag. As the organization whose mandate includes the protection of sexual and reproductive health rights for women and adolescent girls, UNFPA staff should not only refrain from sexual abuse and exploitation, but should also be at the forefront of the effort to eradicate this problem.

53. The Ethics Office further recommends that the Executive Board and management consider whether the UNFPA Ethics Office (and other ethics functions) might be strengthened by more formal structures to support collaboration and coherence in ethics activities among United Nations system organizations. Ethics coherence activities foster a culture in which all staff understand the ethical obligations of international civil service, regardless of the particular United Nations organization in which they serve. Coherence-related activities in 2017 required much effort, but these activities contributed to better and more consistent outcomes throughout the United Nations system, including at UNFPA. They also align with UNFPA commitments in its strategic plan, 2018-2021 to improve organizational efficiency and effectiveness with "increased contributions to the United Nations system-wide results, coordination and coherence," and to the UNFPA specific commitment to be "a strong supporter of the use of common services… to reduce management and administrative costs in the field and at headquarters."[3]

54. Finally, the Ethics Office recommends that senior management consider increasing the size of the Ethics Office by one junior-level professional staff member. Operationally, the Ethics Office's capacity to provide timely, high-quality advice, training and education, and protection from retaliation has reached its limit. Services overall have increased 55 per cent over 5 years; advice and guidance specifically have increased 74 per cent in that same period.

[3] UNFPA Strategic Plan, 2018-2021, at paragraphs 62 and 76.

Yet the Ethics Office remains the same size since its inception – one professional and one administrative staff member. Further engagement on ethics issues by staff and other personnel is welcome, and expected; but without additional staff, the resulting workload increases will inhibit the Office's ability to improve its operations and provide strategic input into organizational standard-setting efforts.

V. Conclusion

55. The Ethics Office in 2017 engaged in hands-on and practical strategies to ensure staff and management have the knowledge and skills to engage in ethical behaviour and take ethical decisions. The efforts of the Ethics Office also contributed to United Nations system-wide ethics practices, and to bolster UNFPA ethical standards. It is hoped that this effort inspires a wider movement throughout UNFPA and the United Nations to strengthen the culture of ethics and integrity, and of loyalty to the vision of the United Nations. The Ethics Office looks forward to continuing these efforts in 2018.